



**FAIR POLITICAL PRACTICES COMMISSION**

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August 11, 2009

Mr. Brian T. Hildreth, Esq.  
o/b/o Mr. Vincent Fong  
o/b/o Kern County Young Republicans Voting Guide  
Bell, McAndrews & Hiltachk, LLP  
455 Capitol Mall, Suite 801  
Sacramento, CA 95814

**Re: Warning Letter  
FPPC Case No. 08/144, Vincent Fong and Kern County Young Republicans  
Voting Guide**

Dear Mr. Hildreth:

I understand that your office represents Vincent Fong and the Kern County Young Republicans Voting Guide ("KCYRVG") in connection with the above-referenced matter. Please let me know if this is incorrect, and I will send a copy of this letter directly to Mr. Fong and/or KCYRVG.

As you know, the Enforcement Division of the Fair Political Practices Commission (the "FPPC"), which enforces the provisions of the Political Reform Act (the "Act"),<sup>1</sup> received complaints alleging that KCYRVG and its treasurer, Mr. Fong, failed to disclose, in Slate Mailer Organization Campaign Statements, required information regarding payments made to Western Pacific Research ("WPR") in 2004, 2006, and 2008. After investigation, the FPPC is closing its file on this matter without initiating an enforcement action. This is a warning letter.

The Act provides that for each person to whom a slate mailer organization makes a payment of \$100 or more, the campaign statement for that reporting period must disclose the following information: (1) the payee's full name; (2) the payee's street address; (3) the amount of each disbursement; and (4) a brief description of the consideration for which each disbursement was made. (Section 84219, subds. (h)(1)-(4).)

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<sup>1</sup> The Act is contained in Government Code sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. FPPC regulations are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

Also, the foregoing information must be provided for each person, if different from the payee, who provided consideration for a disbursement of \$500 or more. (Section 84219, subd. (h)(5).) This is commonly referred to as subvendor information.

Our investigation revealed that KCYRVG and its treasurer, Mr. Fong, violated Section 84219, subdivision (h)(5), by failing to report required subvendor information regarding payments made by KCYRVG to WPR in 2004, 2006, and 2008. However, the FPPC has decided not to pursue an enforcement action at this time, in part because in response to our investigation, KCYRVG voluntarily filed amended statements disclosing that WPR made subvendor payments to Picture Perfect Campaigns in 2004, 2006, and 2008.

Although we have decided not to pursue an enforcement action in this matter, the information in this case will be retained and may be used against KCYRVG and its treasurer, Mr. Fong, should an enforcement action become necessary due to newly discovered information and/or their failure to comply with the Act in the future.

Please note that our Legal Division and Technical Assistance Division can provide advice and assistance for issues which may arise in the future. Your clients may contact either division by calling our toll-free number: 1-866-ASK-FPPC (1-866-275-3772). Also, your clients may refer to the FPPC website at [www.fppc.ca.gov](http://www.fppc.ca.gov) for current information.

The cooperation of KCYRVG and its treasurer, Mr. Fong, in ensuring that the requirements of the Act are consistently satisfied is greatly appreciated.

Sincerely,



Neal P. Bucknell  
Commission Counsel  
Enforcement Division

cc: Mr. Paul Stine